

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Rodney Alexander, Lillian D. Clayton,
Tineno Ferguson, Darrian Ford Sr.,
Ann Gardner, Margaret Garey, Deborah Graham,
Mariedth Greathouse, Brenda Harmon, Pearly Harris,
Lavada Hollins, Willie Hoyle, Kim Isom, Areatha
Murphy, Aaron Rolling, Sarah Smith, David Weir,

Plaintiffs,
vs.

Case No: **4:06-CV-0129**
Hon. Paul L. Maloney

ATLANTIC AUTOMOTIVE COMPONENTS and
VISTEON CORPORATION,

Defendants.

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**PLAINTIFFS' MOTION FOR LEAVE TO SUPPLEMENT THE RECORD
RE: DEFEDANTS' MOTION FOR SUMMARY JUDGMENT AS TO COUNTS
IV, VI AND VI (SIC) BASED ON RES JUDICATA (DOCKET NUMBER 126)
HAS NOW BEEN RENDERED MOOT**

Plaintiffs' through their attorney say as follows:

1. On March, 29, 2008 Defendants' filed their Motion for Summary Judgment and Brief in Support as to Counts IV, VI and VI (sic) of the Complaint based on res judicata (docket number 126).

2. Attached to the Brief as Exhibit 2 was copy of Berrien County, State of Michigan Circuit Court Judge Tolen's Order dated March 5, 2008 granting summary judgment on the state law complaint.

3. On April 9, 2008 the state court Plaintiffs filed their Motion for Relief from the March 5, 2008 Order seeking a modification of the March 5, 2008 order. On April 28, 2008 a hearing was held on Plaintiff's Motion before Judge Tolen who entered an Order dated June 16, 2008 holding that as to the twelve state court Plaintiffs who are parties to the federal lawsuit, the dismissal of the complaint was with prejudice. As to the two Plaintiffs (Devon Romain and Michelle Dues) who were not parties to the federal proceeding, their dismissal was without prejudice. A copy of the June 16, 2008 Order is attached as Exhibit A.

4. On June 20, 2008 the state plaintiffs filed their Motion for Reconsideration of the June 16, 2008 Order.

5. On July 31, 2008 Judge Tolen issued her Opinion and Order Granting Plaintiffs' Motion for Reconsideration, a copy of which is attached as Exhibit B, which renders the Defendants' res judicata based summary judgment motion moot.

WHEREFORE, your Plaintiffs respectfully pray this court enter an order granting the Plaintiffs leave to supplement the record by allowing the inclusion of the two orders attached Exhibits A and B and find that Defendants' Motion is rendered moot.

Dated: August 5, 2008

Sandmeyer & Minka, PLC

/s/ _____
Imants M. Minka (P29211)
Attorney for Plaintiffs